

2007 No. 2819 (C.110)

SOCIAL SECURITY

**The Welfare Reform Act 2007 Commencement (No. 3) Order
2007**

Made - - - - *24th September 2007*

The Secretary of State for Work and Pensions makes the following Order, in exercise of the power conferred by section 70(2) of the Welfare Reform Act 2007(a).

Citation and interpretation

1.—(1) This Order may be cited as the Welfare Reform Act 2007 Commencement (No.3) Order 2007.

(2) In this Order—

“the Act” means the Welfare Reform Act 2007;

“the 1992 Act” means the Social Security Contributions and Benefits Act 1992(b).

Commencement

2.—(1) 1st October 2007 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 41(1) (social security information);
- (b) sections 52 and 53 (disability living allowance: age conditions);
- (c) sections 63 and 67, so far as relating to the paragraphs and entries referred to in paragraphs (d) and (e) below;
- (d) in Schedule 7 (minor and consequential amendments relating to Part 4), paragraph 2(2) (which amends section 73 of the 1992 Act);
- (e) in Schedule 8 (repeals), the entries relating to sections 72(6) and 73(5) of the 1992 Act (which entries contain repeals connected with section 52 and 53 of the Act).

(2) The day appointed for the coming into force of section 60 of the Act is—

- (a) 1st October 2007 for the purpose only of exercising any power to make regulations;
- (b) 29th October 2007 for all other purposes.

Signed by authority of the Secretary of State for Work and Pensions

24th September 2007

Anne McGuire
Parliamentary Under Secretary of State
Department for Work and Pensions

(a) 2007 c. 5.
(b) 1992 c. 4.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the following sections of the Welfare Reform Act 2007 (c. 5). Firstly, section 41(1) which relates to the use of social security information. Section 41(1) comes into force on 1st October 2007 (section 41(2) and (3) came into force on 3rd July 2007: see section 70(1)(a) of that Act). Secondly, sections 52 and 53 (disability living allowance: age conditions) which amend sections 72 and 73 of the Social Security Contributions and Benefits Act 1992 (c. 4) which in turn govern the application of the conditions of entitlement to the care component and the mobility component of disability living allowance to people on or around the age of 16 years. This Order also commences minor amendments and repeals consequent to the coming into force of sections 52 and 53. Sections 52 and 53 and the minor amendments and repeals come into force on 1st October 2007. Thirdly, section 60 (power to stop payment of allowances to care home residents) which amends sections 67 and 72 of the Social Security Contributions and Benefits Act 1992. These provisions relate to the power to stop payment of attendance allowance and the care component of disability living allowance to people resident in care homes. Section 60 comes into force on 1st October 2007 for the purpose of making regulations. The regulations will prescribe the circumstances in which payment of attendance allowance and the care component of disability living allowance will be stopped in respect of a person for a period when he is a resident in a care home (an establishment that provides accommodation together with nursing or personal care). This will be where any of the costs of any qualifying services (accommodation, board or personal care) provided for him are borne out of public or local funds under a specified enactment. Section 60 comes into force on 29th October 2007 for all other purposes.

A full regulatory impact assessment has not been carried out in relation to this Order as it does not impose a cost on business, charities or voluntary bodies.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 31 (partially)	14.06.2007	2007/1721
s. 31 (remainder)	1.11.2007	2007/1721
s. 58, Schedule 6 (partially)	12.07.2007	2007/1991
s.58, Schedule 6 (remainder)	10.08.2007	2007/1991

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